

IN THE MATTER between **5655 NWT LTD.**, Applicant, and **PETER SIMPSON AND PAULINE MODESTE**, Respondents;

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

AND IN THE MATTER of a Hearing before, **HAL LOGSDON**, Rental Officer, regarding the rental premises at **YELLOWKNIFE, NT.**

BETWEEN:

5655 NWT LTD.

Applicant/Landlord

- and -

PETER SIMPSON AND PAULINE MODESTE

Respondents/Tenants

ORDER

IT IS HEREBY ORDERED:

1. Pursuant to section 41(4)(a) of the *Residential Tenancies Act*, the respondents shall pay the applicant rent arrears in the amount of one thousand twelve dollars and eighty four cents (\$1012.84).

DATED at the City of Yellowknife, in the Northwest Territories this 9th day of June, 2009.

Hal Logsdon
Rental Officer

IN THE MATTER between **5655 NWT LTD.**, Applicant, and **PETER SIMPSON AND PAULINE MODESTE**, Respondents.

AND IN THE MATTER of the **Residential Tenancies Act** R.S.N.W.T. 1988, Chapter R-5 (the "Act");

AND IN THE MATTER of a Hearing before **Hal Logsdon**, Rental Officer.

BETWEEN:

5655 NWT LTD.

Applicant/Landlord

-and-

PETER SIMPSON AND PAULINE MODESTE

Respondents/Tenants

REASONS FOR DECISION

Date of the Hearing: **June 3, 2009**

Place of the Hearing: **Yellowknife, NT**

Appearances at Hearing: **Lynn Elkin, representing the applicant**

Date of Decision: **June 3, 2009**

REASONS FOR DECISION

The respondents were served with Notices of Attendance sent by registered mail and confirmed delivered. The respondents failed to appear at the hearing and the hearing was held in their absence.

The tenancy agreement between the parties was terminated by order on May 31, 2009. The applicant obtained an order for rent arrears and penalties for late rent to April 17, 2009. The applicant alleged that the respondents failed to pay the full amount of the May, 2009 rent and sought a further order requiring the respondents to pay the alleged rent arrears for May, 2009 and additional penalties for late rent.

The applicant provided a statement of the rent account which indicated an unpaid balance of the May, 2008 rent in the amount of \$999 and penalties for late rent of \$13.84. The applicant holds a security deposit and stated that it would all be applied against repair costs. A statement of the security deposit and deductions must be provided to the respondent in accordance with section 18 of the *Residential Tenancies Act*.

I find the statement in order and find the respondents in breach of their obligation to pay the May, 2009 rent and penalties for late rent. An order shall issue requiring the respondents to pay the applicant rent arrears in the amount of \$1012.84.

Hal Logsdon
Rental Officer